

[Counsel listed on signature page.]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

In re JDS UNIPHASE CORPORATION
SECURITIES LITIGATION

This Document Relates To: All Actions

) Master File No. C-02-1486 CW

) CLASS ACTION

) **STIPULATION AND [~~PROPOSED~~]**
) **ORDER TO THE ISSUANCE OF**
) **LETTERS ROGATORY**

1 WHEREAS, Lead Plaintiff, Connecticut Retirement Plans and Trust Funds, seeks a
2 Letter Rogatory to the Superior Court of the Province of Ontario, Canada to compel Ken
3 Bradley, who resides at 173 Knudson Dr., Kanata, Ontario, to testify at deposition and produce
4 documents;

5 WHEREAS, Lead Plaintiff also seeks a Letter Rogatory to the Superior Court of the
6 Province of Quebec, Canada to compel Tom Dorval, who resides at 5617 Av Gatineau,
7 Montreal, Quebec H3T 1X6, to testify at deposition and produce documents;

8 WHEREAS, Lead Plaintiff also seeks a Letter Rogatory to the Superior Court of the
9 Province of Ontario, Canada to compel Lou Greco, who resides at 42 Goulding Crescent,
10 Kanata, Ontario K2K 2N9, to testify at deposition and produce documents;

11 WHEREAS, Lead Plaintiff also seeks a Letter Rogatory to the Superior Court of the
12 Province of Ontario, Canada to compel Ileana Nolan, who resides at 355 Melvin Ave., #1401,
13 Hamilton, Ontario L8H 2K9 and 521 Gilmour St, Peterborough, Ontario K9H 2K1, to testify at
14 deposition and produce documents;

15 WHEREAS, the parties wish to resolve the above matters without motion practice;

16 IT IS HEREBY STIPULATED by and between the parties to this action, through their
17 counsel of record, that the Court may issue proposed Letters Rogatory to:

18 (a) the Superior Court of the Province of Ontario, Canada in the form annexed hereto as
19 Exhibit A, seeking judicial assistance in compelling Ken Bradley to testify at deposition and
20 produce documents; and

21 (b) the Superior Court of the Province of Quebec, Canada in the form annexed hereto as
22 Exhibit B, seeking judicial assistance in compelling Tom Dorval to testify at deposition and
23 produce documents.

24 (c) the Superior Court of the Province of Ontario, Canada in the form annexed hereto as
25 Exhibit C, seeking judicial assistance in compelling Lou Greco to testify at deposition and
26 produce documents; and
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1 (d) the Superior Court of the Province of Ontario, Canada in the form annexed hereto as
2 Exhibit D, seeking judicial assistance in compelling Ileana Nolan to testify at deposition and
3 produce documents.

4
5 Respectfully submitted,

6 Dated: October 12, 2006

LABATON SUCHAROW & RUDOFF LLP

8 By: /s/ Anthony J. Harwood

9 Lead Counsel for Lead Plaintiff
10 Connecticut Retirement Plans and Trust Funds

11 BERMAN DeVALERIO PEASE TABACCO
12 BURT & PUCILLO

13 Liaison Counsel for Lead Plaintiff
14 Connecticut Retirement Plans and Trust Funds

15 Dated: October 12, 2006

MORRISON & FOERSTER LLP

16 By: /s/ Philip Besirof

17 Attorneys for Defendants
18 JDS Uniphase Corporation, Charles J. Abbe, Jozef
19 Straus, and Anthony Muller

20 Dated: October 12, 2006

HELLER EHRMAN LLP

22 By: /s/ Howard S. Caro

23 Attorneys for Defendant
24 Kevin Kalkhoven

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

26
27 Dated:


HONORABLE ELIZABETH D. LAPORTE
United States Magistrate Judge
NANDOR J. VADAS

1 I, Anthony Harwood, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Regarding: Revised Class Notice and Publication of Class
3 Notice. In compliance with General Order 45, X.B., I hereby attest that Philip Besirof, attorney
4 for Defendants, JDS Uniphase Corporation, Charles J. Abbe, Jozef Straus, and Anthony R.
5 Muller, and Howard Caro, attorney for Kevin Kalkhoven, have concurred in this filing.

6
7 Dated: October 12, 2006

LABATON, SUCHAROW & RUDOLF LLP

8
9 By: /s/ Anthony Harwood
10 Anthony Harwood
11 Counsel for Lead Plaintiff
12 Connecticut Retirement Plans
13 and Trust Funds
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